

03-21-05

Rce/3643  
J.F.W.

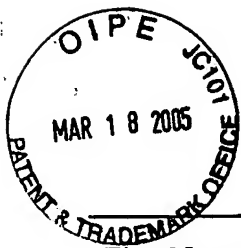
|  |                      |                     |
|--|----------------------|---------------------|
| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Submission (b) of 35 U.S.C. § 132, effective on May 29, 2000,<br>provides for continued examination of an utility or plant<br>application filed on or after June 8, 1995.<br>See The American Inventors Protection Action of 1999<br>(AIPA). | Application Number   | 10/764,224          |
|  | Filing Date          | January 22, 2004    |
|  | First Named Inventor | Melvin Lee Jacobson |
|  | Group Art Unit       | 3643                |
|  | Examiner Name        | Kurt C. Rowan       |
|  | Attorney Docket No.  | J274.12-0001        |
| Mail to: Mail Stop RCE<br>Commissioner For Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450   | Express Mail No.     | EV 485711129        |
|  |                      |                     |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes of Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
  - a. ☒ Previously submitted
    - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 24, 2005 (Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
    - iii. ☐ Other
  - b. ☐ Enclosed
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☐ Other
2. Miscellaneous
  - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of     months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other
3. Fees (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)
  - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0982.
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Other
  - b. ☒ Check in the amount of \$395.00 enclosed

|                        |  |                |                      |
|------------------------|--|----------------|----------------------|
| Atty Name and Reg. No. | David R. Fairbairn,<br>Reg. No., 26,047  | Signature:<br> | Date: <u>3/18/05</u> |
| Address                | Kinney & Lange, P.A.<br>THE KINNEY & LANGE BUILDING<br>312 South Third Street<br>Minneapolis, MN 55415-1002<br><br>03/22/2005 AWONDAF1 00000052 10764224<br>01 FC:2801 395.00 0P |                |                      |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |  |
|---|--|
| First Named<br>Inventor : Melvin Lee Jacobson<br>Appln. No. : 10/764,224<br>Filed : January 22, 2004<br>Title : DEVICE AND METHOD FOR REMOVING<br>PESTS FROM SURFACE<br>Docket No. : J247.12-0001 | Group Art Unit: 3643<br>Examiner:<br>Kurt C. Rowan |
|---|--|

**EXPRESS MAIL COVER SHEET**

Mail Stop RCE  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**  
Express Mail No.: EV 485711129 US

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and Trademark Office on the date shown below:

1. Check in the Amount of \$395.00;
2. Fee Transmittal Sheet (in duplicate);
3. Request For Continued Examination (RCE); and
4. Return Receipt Postcard.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 3/18/05

By 

David R. Fairbairn, Reg. No. 26,047  
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Telephone: (612) 339-1863  
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DRF:ks

# FEE TRANSMITTAL



Complete if Known

Application No. 10/764,224  
 Filing Date January 22, 2004  
 First Named Inventor Melvin Lee Jacobson  
 Group Art Unit 3643  
 Examiner Name Kurt C. Rowan  
 Atty. Docket Number J274.12-0001

Total Amount of Payment \$395.00

## METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2. ☒ Check Enclosed

## FEE CALCULATION

### 1. BASIC FILING FEE

| Appn. Type  | FILING FEE<br>FEE/SMALL | SEARCH FEES<br>FEE/SMALL | EXAM FEES<br>FEE/SMALL | FEES |
|-------------|-------------------------|--------------------------|------------------------|------|
| Utility     | 300 / 150               | 500 / 250                | 200 / 100              | —    |
| Design      | 200 / 100               | 100 / 50                 | 130 / 65               | —    |
| Reissue     | 300 / 150               | 500 / 250                | 600 / 300              | —    |
| Provisional | 200 / 100               | -0- / -0-                | -0- / -0-              | —    |

Subtotal (1) \$00.00

### 2. EXTRA CLAIM FEES

|                           | Number<br>Claims | Prior** | Extra | Fee from Fee Paid<br>Below |
|---------------------------|------------------|---------|-------|----------------------------|
| Total                     | * -              | * =     | * X   | * = *                      |
| Indep.                    | * -              | * =     | * X   | * = *                      |
| Multiple Dependent Claims |                  |         |       | * = *                      |

\*\*Insert 3 and 20, or number previously paid if greater; Reissue see below

| Large Entity<br>Fee<br>Code | Fee<br>(\$) | Small Entity<br>Fee<br>Code | Fee<br>(\$) | Description   |
|-----------------------------|-------------|-----------------------------|-------------|---|
| 1202                        | 50          | 2202                        | 25          | Claims in excess of 20                                  |
| 1201                        | 200         | 2201                        | 100         | Independent claims in excess of 3                       |
| 1203                        | 360         | 2203                        | 180         | Multiple Dependent Claim                                |
| 1204                        | 200         | 2204                        | 100         | Reissue Independent Claims Over Original Patent         |
| 1205                        | 50          | 2205                        | 25          | Reissue claims in excess of 20 and over original patent |

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 small) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R.

## FEE CALCULATION (Continued)

### 3. ADDITIONAL FEES

| Large Entity<br>Fee<br>Code | Fee<br>(\$) | Small Entity<br>Fee<br>Code | Fee<br>(\$) | Fee Description  | Fee paid |
|-----------------------------|-------------|-----------------------------|-------------|--|----------|
| 1051                        | 130         | 2051                        | 65          | Surcharge - Late filing fee or oath  | *        |
| 1052                        | 50          | 2052                        | 25          | Surcharge - late provisional filing fee or cover sheet                     | *        |
| 1053                        | 130         | 1053                        | 130         | Non-English specification  | *        |
| 1812                        | 2,520       | 1812                        | 2,520       | For Filing a Request for Reexamination                                     | *        |
| 1251                        | 120         | 2251                        | 60          | Extension for reply within first month                                     | *        |
| 1252                        | 450         | 2252                        | 225         | Extension for reply within second month                                    | *        |
| 1253                        | 1,020       | 2253                        | 510         | Extension for reply within third month                                     | *        |
| 1254                        | 1,590       | 2254                        | 795         | Extension for reply within fourth month                                    | *        |
| 1255                        | 2,160       | 2255                        | 1,080       | Extension for reply within fifth month                                     | *        |
| 1402                        | 500         | 2402                        | 250         | Filing a brief in support of an appeal                                     | *        |
| 1403                        | 1,000       | 2403                        | 500         | Request for oral hearing   | *        |
| 1814                        | 130         | 2814                        | 65          | Terminal Disclaimer Fee  | *        |
| 1452                        | 500         | 2452                        | 250         | Petition to revive - unavoidable   | *        |
| 1453                        | 1,500       | 2453                        | 750         | Petition to revive - unintentional   | *        |
| 1501                        | 1,400       | 2501                        | 700         | Utility/Reissue issue fee  | *        |
| 1502                        | 800         | 2502                        | 400         | Design issue fee   | *        |
| 1460                        | 130         | 1460                        | 130         | Petitions to the Commissioner  | *        |
| 1807                        | 50          | 1807                        | 50          | Petitions related to provisional applications                              | *        |
| 1806                        | 180         | 1806                        | 180         | Submission of Information Disclosure Statement                             | *        |
| 8021                        | 40          | 8021                        | 40          | Recording each patent assignment per property (times number of properties) | *        |
| 1801                        | 790         | 2801                        | 395         | Request for Continued Examination (RCE)                                    | 395      |
| Other fee (specify) _____   |             |                             |             |  | *        |

Subtotal (3) \$395.00

Signature

*David R. Fairbairn*  
 David R. Fairbairn

Reg. No. 26,047

Date

3/18/05

Deposit Account No. 11-0982